

EXHIBIT NO. 1

This exhibit supports the application of Sangre de Cristo Communications, Inc. ("Sangre de Cristo"), permittee of KOAA-DT (Pueblo, Colorado) (the "Station"), for extension of the Commission's digital television ("DTV") construction deadline for commercial broadcast stations as set forth in Section 73.624(d)(1)(iii) of the Commission's rules.¹ Only on November 12, 2004 did the Commission issue Sangre de Cristo an initial construction permit for the Station (expiring November 12, 2005).² The Commission stated that it would grant an extension of the DTV construction deadline "where a broadcaster has been unable to complete construction due to circumstances that are either unforeseeable or beyond the licensee's control if the licensee has taken all reasonable steps to resolve the problem expeditiously."³ Because for reasons beyond its control Sangre de Cristo will be unable to complete construction by the November 12th deadline and the arrival of winter weather, it respectfully requests an extension of permit. This is the Station's first extension request.

Until last week, Sangre de Cristo had hoped and expected to complete construction by the November 12th deadline. Unfortunately, Sangre de Cristo continues to await final approval and permitting from local authorities necessary to implement the Station's construction permit. Accordingly, Sangre de Cristo is precluded from completing the Station at this time.

Because the tower site is located in the mountains northwest of Pueblo, the onset of winter weather means Sangre de Cristo must postpone the Station's completion until Spring. Although it obviously is not possible to know precisely when the winter weather will break, Sangre de Cristo expects to have secured the necessary approvals and permits for the Station by that time, clearing the way for its completion.

There are no other material impediments to completing the Station. Sangre de Cristo has finalized a lease for tower space and a building in which to house the Station's transmitter and other equipment. Sangre de Cristo has conducted a tower examination to ensure it will support the new DTV equipment and ordered special brackets for installation of the new DTV antenna. Additionally, Sangre de Cristo has received delivery of the new antenna and transmission line. Sangre de Cristo also has ordered the new transmitter, which, because of storage limitations, will not be delivered until an installation date is set.

The Commission has stated that it would grant an extension "where a broadcaster has been unable to complete construction due to circumstances that are either unforeseeable or

¹ Section 73.624(d)(1)(iii) requires all remaining commercial television stations that have not previously been required by the rules to construct their DTV facilities to construct by May 1, 2002. 47 C.F.R. § 73.624(d)(1)(iii).

² See FCC File No. BPCDT-19991029AGS.

³ Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, *Fifth Report and Order*, 12 FCC Rcd 12809, ¶ 77 (1997); see also Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Memorandum Opinion and Order on Reconsideration*, 16 FCC Rcd 20594, ¶ 44 (2001).

beyond the licensee's control if the licensee has taken all reasonable steps to resolve the problem expeditiously."⁴ Because construction has been delayed by legal proceedings beyond Sangre de Cristo's control, and now will be delayed further by the onset of winter weather, Sangre de Cristo believes that this request satisfies the Commission's DTV extension standards. Accordingly, Sangre de Cristo respectfully requests that the Commission grant a six-month extension of the Station's DTV construction deadline.

⁴ *Id.*